

# SENATE BILL REPORT

## SB 5847

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As Reported By Senate Committee On:  
Judiciary, February 20, 2007

**Title:** An act relating to overpayments received by courts.

**Brief Description:** Addressing overpayments received by courts.

**Sponsors:** Senators Kline and Brandland.

**Brief History:**

**Committee Activity:** Judiciary: 2/14/07, 2/20/07 [DP].

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### SENATE COMMITTEE ON JUDICIARY

**Majority Report:** Do pass.

Signed by Senators Kline, Chair; Tom, Vice Chair; McCaslin, Ranking Minority Member; Carrell, Hargrove, Murray, Roach and Weinstein.

**Staff:** Juliana Roe (786-7405)

**Background:** Under current law, intangible property that remains unclaimed for more than two years is presumed abandoned. This includes overpayment to the courts.

Proponents of the bill contend that it is not cost efficient to give notice and reissue checks to those who have overpaid by \$10 or less.

**Summary of Bill:** Courts are allowed to retain overpayments of \$10 or less made in connection with any litigation, including traffic, criminal, or noncriminal matters. The overpayments must be deposited in the local current expense fund.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: In July 2006, the clerks were advised that all overpayments to the court should be made to the person writing the check, or that the overpayments should go through the unclaimed property process. The unclaimed property process requires that the overpayment be held for two years. It costs more to send back the overpaid money than the actual amount of money in question. The average amount of money

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returned is three dollars. Many people are not even cashing these checks. Most of the time, overpayment is due to illegible officer handwriting.

**Persons Testifying:** PRO: Melanie Stewart, Washington District and Municipal Court Judges Association; Yvonne Pettus, District and Municipal Court Management Association.